

IC 25-23.6-4

Chapter 4. Social Worker; Unlawful Practices; Penalty

IC 25-23.6-4-1

Unlawful practices

Sec. 1. An individual may not:

- (1) profess to be a licensed social worker or licensed clinical social worker;
- (2) use the title:
 - (A) "licensed social worker";
 - (B) "licensed clinical social worker";
 - (C) "clinical social worker";
 - (D) "psychiatric social worker"; or
 - (E) "psychosocial worker";
- (3) use any other title containing the words "licensed social worker" or "licensed clinical social worker";
- (4) use any other words, letters, abbreviations, or insignia indicating or implying that the individual is a licensed social worker or licensed clinical social worker; or
- (5) practice as a licensed social worker or clinical social worker for compensation;

unless the individual is licensed under this article.

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.39.

IC 25-23.6-4-2

Exemptions

Sec. 2. (a) This article may not be construed to limit the social work or clinical social work services performed by a person who does not use a title specified in this article and who is one (1) of the following:

- (1) A licensed or certified health care professional acting within the scope of the person's license or certificate.
- (2) A student, an intern, or a trainee pursuing a course of study in medicine, psychology, or a course of study to gain licensure under this article in an accredited institution of higher education or training institution accredited by the Council on Social Work Education, or a graduate accumulating experience required for licensure if:
 - (A) the services are performed under qualified supervision and constitute a part of the person's supervised course of study or other level of supervision; and
 - (B) the student or graduate uses a title that contains the term "intern", "student", or "trainee".
- (3) Not a resident of Indiana if the person performed social work in Indiana for not more than five (5) days in any one (1) month or more than fifteen (15) days in any one (1) calendar year and the person is authorized to perform such services under the laws of the state or country in which the person resides.
- (4) A rabbi, priest, Christian Science practitioner, minister, or

other member of the clergy.

(5) An employee or a volunteer for an organization performing charitable, religious, or educational functions, providing pastoral counseling, or other assistance.

(6) A person who provides school counseling or a person who is certified by a state or national organization that is recognized by the Indiana division of mental health and addiction and who provides counseling in the areas of alcohol or drug abuse addictions.

(7) A governmental employee who remains in the same job classification or job family of that job classification.

(b) Nothing in this section prohibits a person referred to in subsection (a) from qualifying for licensure under this article.

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997, SEC.40; P.L.244-1999, SEC.2; P.L.215-2001, SEC.101.

IC 25-23.6-4-3

Social service designee

Sec. 3. A person who is not licensed under this article may use the title "social service designee" if the person:

(1) provides or assures provision of social services in:

(A) a health facility licensed under IC 16-28;

(B) a hospital licensed under IC 16-21 or IC 12-25;

(C) a substance abuse facility certified by the division of mental health and addiction;

(D) a home health agency licensed under IC 16-27-1; or

(E) a community health center; and

(2) does not profess to be:

(A) a licensed social worker; or

(B) licensed under this article.

As added by P.L.186-1990, SEC.9. Amended by P.L.2-1992, SEC.777; P.L.2-1993, SEC.143; P.L.219-1993, SEC.1; P.L.147-1997, SEC.41; P.L.215-2001, SEC.102.

IC 25-23.6-4-3.1

Use of case manager or discharge planner title by nonlicensed individuals

Sec. 3.1. An individual who is not licensed under this article may use the titles "case manager", "discharge planner", or a related title if the individual:

(1) provides services in a hospital licensed under IC 16-21 or IC 12-25 or a community mental health center; and

(2) does not profess to be licensed under this article.

As added by P.L.147-1997, SEC.42.

IC 25-23.6-4-4

Violations; penalty

Sec. 4. An individual who violates this chapter after July 1, 1999, commits a Class A misdemeanor.

As added by P.L.186-1990, SEC.9. Amended by P.L.147-1997,

SEC.43.

IC 25-23.6-4-5

Display of license; contents of promotional materials

Sec. 5. An individual who is licensed as a social worker or clinical social worker shall:

- (1) display the license or a clear copy of the license at each location where the social worker or clinical social worker regularly practices; and
- (2) include the words "licensed social worker" or "licensed clinical social worker" or the letters "LSW" or "LCSW" on all promotional materials, including business cards, brochures, stationery, advertisements, and signs that name the individual.

As added by P.L.147-1997, SEC.44.

IC 25-23.6-4-6

Permitted testimony

Sec. 6. A social worker licensed under this article may provide factual testimony but may not provide expert testimony.

As added by P.L.147-1997, SEC.45.